

UWY-X06-CV18-6046436-S : SUPERIOR COURT
ERICA LAFFERTY, ET ALS., : COMPLEX LITIGATION
v. : AT WATERBURY, CONNECTICUT
ALEX EMRIC JONES, ET ALS. : MARCH 30, 2022

UWY-X06-CV18-6046437-S : SUPERIOR COURT
WILLIAM SHERLACH, ET AL., : COMPLEX LITIGATION
v. : AT WATERBURY, CONNECTICUT
ALEX EMRIC JONES, ET ALS. : MARCH 30, 2022

UWY-X06-CV18-6046438-S : SUPERIOR COURT
WILLIAM SHERLACH, ET AL., : COMPLEX LITIGATION
v. : AT WATERBURY, CONNECTICUT
ALEX EMRIC JONES, ET ALS. : MARCH 30, 2022

EXCERPT - THE COURT'S RULING

BEFORE THE HONORABLE BARBARA N. BELLIS, JUDGE

A P P E A R A N C E S :

Representing the Plaintiffs:
ATTORNEY CHRISTOPHER MATTEI
ATTORNEY MATTHEW BLUMENTHAL
ATTORNEY ALINOR STERLING
Koskoff Koskoff & Bieder
350 Fairfield Avenue
Bridgeport, CT 06604

Representing the Defendants, Alex Emric Jones; Infowars,
LLC; Free Speech Systems, LLC; Infowars Health, LLC;
Prison Planet TV, LLC:
ATTORNEY CAMERON ATKINSON
Pattis & Smith, LLC
383 Orange Street, #1
New Haven, CT 06511

Representing the Defendants, Genesis Communications
Network, Inc.:
ATTORNEY MARIO CERAME
Brignole, Bush & Lewis
73 Wadsworth Street
Hartford, CT 06106

Recorded By:
Jocelyne Greguoli
Transcribed By:
Jocelyne Greguoli
Court Recording Monitor
400 Grand Street
Waterbury, Connecticut 06702

1 (The following is an excerpt of the
2 proceedings:)

3 THE COURT: Thank you.

4 All right. So I'm going to order a transcript
5 of the following remarks and when it is prepared, I
6 will sign it and place it in the file.

7 So with respect to depositions in general, under
8 our rules of practice, particularly Practice Book
9 Section 13-29 Subsection (c) Subsection (2), the
10 plaintiffs were not required to subpoena Mr. Jones.
11 The plaintiffs properly issued a notice of deposition
12 on Mr. Jones, a defendant, which notice compelled him
13 to appear for a deposition in the county he resides
14 or within 30 miles of his residence and that was done
15 properly.

16 On Tuesday, March 22nd, the Court, after
17 argument on the record, denied the Jones defendants'
18 motion for protective order that had been filed
19 earlier that day and that had asked the Court to
20 postpone Mr. Jones' depositions which were scheduled
21 to take place on Wednesday the 23rd and Thursday the
22 24th. The Jones defendants were given an immediate
23 opportunity to argue their motion the same day it was
24 filed and both the evidence that was submitted and
25 the argument that was made indicated that Mr. Jones
26 was remaining at home under his doctor's supervision
27 when, in fact, he was working at his studios and

1 broadcasting his show.

2 Additionally, the Court painstakingly explained
3 on the record that its in-camera review evaluating
4 the doctor's note submitted by the Jones defendants
5 revealed that the note fell far short. Despite that
6 ruling, Mr. Jones did not appear for his deposition
7 on Wednesday, March 23rd.

8 In denying the Jones defendants' motion, the
9 Court clearly stated that while the logistics of the
10 depositions were left to the parties, the parties
11 could consider having Mr. Jones' physician on the
12 premises during the deposition.

13 On Wednesday, March 23rd, following the filing
14 of the plaintiffs' motion for order, which was filed
15 that day, and the Jones defendants' objection, which
16 was also filed that day, the Court, again on the
17 record after a hearing from counsel, ordered Mr.
18 Jones to appear for his deposition on Thursday, March
19 24th.

20 Despite these rulings from the Court, Mr. Jones
21 did not appear for his deposition on Wednesday, March
22 23rd and he did not appear for his deposition on
23 Thursday, March 24th. Immediately following the
24 hearing on the record on March 23rd, the Court also
25 ordered Mr. Jones, in writing, to appear for his
26 March 24th deposition stating, "The defendant, Alex
27 Jones, is ordered to produce himself tomorrow for his

1 duly noticed deposition as he has not submitted
2 additional evidence for the Court to evaluate on the
3 issue of his alleged medical conditions."

4 Additionally, after the parties filed briefs
5 relating to the plaintiffs' request for a *capias*, the
6 Court issued a second written order on March 23rd
7 declining to issue a *capias* at that time, indicating
8 that Mr. Jones would be in contempt of the Court's
9 order should he not appear for his deposition on
10 March 24th and setting a briefing schedule with
11 respect to the other sanctions requested by the
12 plaintiff.

13 Furthermore, after an additional motion for
14 protective order was filed by the Jones defendants at
15 the end of the day on Wednesday, March 23rd, the
16 Court, after evaluating the motions and affidavits,
17 denied the motion in writing and made clear that the
18 Court-ordered deposition was to proceed the next day,
19 although he would be excused from the deposition if
20 he was hospitalized. No such evidence of
21 hospitalization or, in fact, any other evidence has
22 been submitted to the Court, although the motions
23 that have been filed are replete with references to
24 Mr. Jones either broadcasting live from his studio,
25 recording shows, or calling into shows during the
26 time period in question.

27 So while the parties and counsel abided by the

1 Court-ordered deadlines with respect to the filing of
2 their briefs, Mr. Jones, as I said, did not appear
3 for his deposition on Thursday, March 24th.

4 So this hearing today is dealing with the
5 plaintiffs' motions relating to Mr. Jones' failure to
6 appear for his depositions on March 23rd and March
7 24th despite all these Court orders and Jones
8 defendants' objections thereto.

9 Now, I have to note, at this point we're maybe
10 16 or 17 weeks away from jury selection and Mr. Jones
11 has not even been deposed. So we're four years into
12 this case and the Court has repeatedly entered new
13 deadlines for witness depositions and the newest
14 deadline, as far as I know, is April 8th in this long
15 series of modifying scheduling orders for
16 depositions.

17 I have to say that due to these repeated
18 extensions, the several prior trial dates, as well as
19 the age of the case, the existing trial date, which
20 is jury selection on August 2nd and evidence on
21 September 1st, is a firm trial date and parties and
22 counsel should plan accordingly.

23 The Court's authority here is rooted not only in
24 Practice Book Section 13-14, but the Court also has
25 inherent sanctioning power. With respect to the
26 issue of contempt, the Court finds by clear and
27 convincing evidence that the defendant, Alex Jones,

1 willfully and in bad faith violated without
2 justification several clear Court orders requiring
3 his attendance at his depositions on March 23rd and
4 March 24th. That is, the Court finds that Mr. Jones
5 intentionally failed to comply with the orders of the
6 Court and that there was no adequate factual basis to
7 explain his failures to obey the orders of the Court.

8 Now, while the Court has adjudicated Mr. Jones
9 in contempt, Mr. Jones himself has the ability to
10 purge the contempt and Mr. Jones is on notice that he
11 has the ability to purge the contempt and the Court
12 has the power to reduce the fines that it is going to
13 impose once the contempt has been purged as follows:
14 The contempt will be purged when Mr. Jones completes
15 two full days of depositions at the office of
16 plaintiffs' counsel in Bridgeport. Mr. Jones is to
17 pay conditional fines of \$25,000 each weekday
18 beginning on Friday, April 1st, increasing by \$25,000
19 per weekday payable to the Clerk of the Court in
20 Waterbury and it will be suspended on each day that
21 Mr. Jones successfully completes a full day's
22 deposition where Mr. Jones has given all counsel a
23 minimum of 24 hours' notice of his availability to
24 sit for that particular deposition.

25 So for example, if Mr. Jones' counsel this
26 afternoon informs counsel that Mr. Jones will sit for
27 his deposition on Friday -- that's sufficient notice

1 to the parties, that's 24 hours -- and if he
2 successfully appears and sits for his deposition on
3 Friday, there will be no fine.

4 Another example: If Mr. Jones' counsel this
5 afternoon informs counsel that Mr. Jones will sit for
6 his deposition on Tuesday, April 5th and he does so
7 successfully, the fine will be \$25,000 for this
8 Friday, April 1st. There will be no fine on Saturday
9 or Sunday and there will be a \$50,000 fine on Monday
10 for a total fine of \$75,000 to that point and so on.

11 The last day for the fines will be April 15th
12 and that then gives Mr. Jones an opportunity to purge
13 the contempt by producing himself for two full days
14 of deposition by April 15th. The Court recognizes
15 that this fine, while a conditional fine, is also
16 coercive, but finds that it is reasonable and
17 necessary in this matter and again points out that
18 Mr. Jones himself has the opportunity to complete his
19 deposition and then request reimbursement of the
20 fines that the Court has imposed.

21 The Court declines to issue a *capias*, although
22 it recognizes that the plaintiffs may pursue that
23 with the Texas Courts if they so desire..

24 The Court also finds that the plaintiffs are
25 entitled to fees and costs in connection with the
26 cancelled depositions that was requested in earlier
27 motions and the details of which were provided in the


1 briefs that were just filed today, so as I indicated
2 earlier, for that reason, the Court will address the
3 amount of the fees and costs that will be awarded at
4 the next hearing giving the Jones defendants adequate
5 time to respond.

6 It is clear, however, that the plaintiffs here
7 simply want and are entitled to the deposition of Mr.
8 Jones and that Mr. Jones has continued to attempt to
9 deliberately disregard the Court's orders and
10 attempts to manipulate the Court process. While
11 paying the fees and costs will reimburse the
12 plaintiffs for the costs incurred in attempting to
13 procure Mr. Jones' deposition, it is not a substitute
14 for his testimony. As such, should Mr. Jones not
15 complete his two full days of depositions by April
16 15, the Court finds that the preclusion of evidence,
17 that is, preventing Mr. Jones from offering evidence
18 which would include calling witnesses, cross-
19 examining witnesses, and the like, and adverse
20 inferences, that is, the establishment of certain
21 facts adverse to the Jones defendants, would be an
22 order as a remedy for non-compliance, the extent of
23 which is a very significant issue and would require
24 extensive briefing and argument from counsel.

25 That is not something, hopefully, that will have
26 to be addressed because Mr. Jones has the ability by
27 April 15th to purge himself of the contempt and avoid

1 any issue, preclusion, or adverse inferences. So if
2 and when that becomes an issue, if he has not
3 submitted to his two full days of deposition by April
4 15th, then the Court will set up a briefing schedule
5 to address issue preclusion and adverse inferences.
6 So really, it will be up to Mr. Jones.

7 (The matter continued.)
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27



Barbara N. Bellis, Judge

*

*

*

UWY-X06-CV18-6046436-S	:	SUPERIOR COURT
ERICA LAFFERTY, ET ALS.,	:	COMPLEX LITIGATION
v.	:	AT WATERBURY, CONNECTICUT
ALEX EMRIC JONES, ET ALS.	:	MARCH 30, 2022
UWY-X06-CV18-6046437-S	:	SUPERIOR COURT
WILLIAM SHERLACH, ET AL.,	:	COMPLEX LITIGATION
v.	:	AT WATERBURY, CONNECTICUT
ALEX EMRIC JONES, ET ALS.	:	MARCH 30, 2022
UWY-X06-CV18-6046438-S	:	SUPERIOR COURT
WILLIAM SHERLACH, ET AL.,	:	COMPLEX LITIGATION
v.	:	AT WATERBURY, CONNECTICUT
ALEX EMRIC JONES, ET ALS.	:	MARCH 30, 2022

C E R T I F I C A T I O N

I hereby certify the foregoing pages are a true and correct transcription of the audio recording of the above-referenced case, heard in Superior Court, Judicial District of Waterbury at Waterbury, Connecticut, before the Honorable Barbara N. Bellis, Judge, on the 30th day of March, 2022.

Dated this 30th day of March, 2022 in Waterbury, Connecticut.


 Jocelyne Greguoli
 Court Recording Monitor